

THIRD DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, April 20, 1876. }

Senate met pursuant to adjournment. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday read and adopted.

A message was received from the House, announcing the passage of the following resolution:

Resolved, That the Senate be invited to meet the House in joint session, in the Representative Hall, on Saturday, the 22d inst., at 10 A. M., for the purpose of counting the vote of the State for Governor, Lieutenant-Governor, and other officers.

Senator Hobby, Chairman Judiciary Committee No. 1, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate resolution requiring Senators to draw for terms, have instructed me to report that the Committee have not had sufficient time to consider the same, and, therefore, ask that they be allowed further time to report thereon.

HOBBY, *Chairman.*

Report adopted, and leave granted.

Senator Ford offered the following resolution:

Resolved, That the Committee on Printing be instructed to contract for a sufficient number of newspapers to furnish each member of this Senate thirty copies thereof, daily, and that said newspapers shall be paid for out of the Contingent Fund, upon approval of the account, or accounts, by the Chairman of the Committee on Contingent Expenses, and the same shall be countersigned by the President of the Senate: *provided*, that said newspaper, or newspapers, so contracted for, shall publish the proceedings of the Legislature, or an accurate synopsis thereof, and shall not exceed five cents per copy.

Senator Wortham offered the following as a substitute:

Resolved, That the Secretary be authorized to contract with the proprietors of either of the daily papers of this city for ten copies of their paper for each Senator: *provided*, such paper shall not cost exceeding five cents per copy, and shall contain a full report of the proceedings of this body.

Senator McLeary moved to strike out the words, "this city."

Carried.

The substitute, as amended, was then lost.

Senator Wortham moved to refer the resolution of Senator Ford to the Committee on Printing.

Senator McLeary moved to amend by adding that the Committee be required to report at the next session of the Senate.

Lost.

The resolution, as offered by Senator Ford, was then referred to the Committee on Printing.

Senator Crain offered the following resolution:

Resolved, That the Sergeant-at-Arms be directed to furnish to each Senator one copy of the latest edition of Paschal's Digest of Laws.

Referred to Committee on Contingent Expenses.

Senator Thompson offered the following resolution:

Resolved, That the Senate, in addition to the five thousand copies of the Governor's Message ordered to be printed, order a further number of the same to be printed, to-wit: One thousand in the Bohemian language, and two thousand in the German language.

Senator Ford moved to amend by adding, "Two thousand copies in the Spanish language."

Amendment accepted, and the resolution, as amended, was adopted.

Senator McLeary introduced a bill entitled: "An Act to provide for revising, digesting and publishing the laws, civil and criminal, of the State of Texas."

Read first time and referred to Judiciary Committee No. 1.

Senator Terrell introduced a bill entitled: "An Act creating the office of Stenographer in Courts of Record, and prescribing his duties and liabilities."

Read first time and referred to Judiciary Committee No. 1.

Senator Terrell introduced a bill entitled: "An Act to amend Article 389 of 'An Act to establish a code of criminal procedure for the State of Texas.'"

Read first time and referred to Judiciary Committee No. 1.

Senator Smith offered the following resolution:

Resolved, That the Committee on Public Roads, Bridges and Ferries be, and are hereby, instructed to report to the Senate, as early as practicable, "An Act for laying out and working public roads, for the building of bridges and for utilizing ferries, forfeitures and convict labor to all their purposes."

Adopted.

Senator Piner offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized to contract for and purchase a sufficient number of chairs for Senators, and also to contract for and purchase a sufficient number of chairs for committee rooms, tables, buckets, and such other furniture as is absolutely required by the Senate; that this purchase and contract be made under direction of the President of the Senate, and subject to approval by the Committee on Contingent Expenses.

Senator Brady moved to refer the resolution to Judiciary Committee No. 1.

Carried.

On motion of Senator Grace, the Senate accepted the invitation of the House to meet that body in joint session, in the House of Representatives, on Saturday, the 22d inst., at 10 A. M., for the purpose of counting the vote of the State for Governor, Lieutenant-Governor and other officers.

Senator Ledbetter offered the following resolution:

WHEREAS, By the new Constitution the county school lands heretofore granted, in the various counties, have been again restored to the counties; therefore, be it

Resolved, That the Judiciary Committee No. 1 be instructed to enquire what legislation, if any, is necessary to authorize the various counties to sell their school lands, and if any legislation is necessary, to report a bill to that effect.

Read and referred to Judiciary Committee No. 1.

Senator Hobby introduced a bill entitled: "An Act to define the powers and regulate the mode of procedure in the Court of Appeals, in civil cases."

Read first time and referred to Judiciary Committee No. 1.

Senator Hobby introduced a bill entitled: "An Act to amend Article 7719 of the Criminal Code."

Read first time and referred to Judiciary Committee No. 2.

Senator Grace introduced a bill entitled: "An Act to transfer to the proper tribunals the business and records pertaining to the increased jurisdiction granted by an act of the Legislature, approved on the 31st day of May, 1873, to the presiding Justices of the Peace of the counties of Lamar and Fannin."

Read first time and referred to Judiciary Committee No. 1.

Senator Stephens introduced a bill entitled: "An Act concerning mills and millers, and to prevent the taking of excess in toll."

Read first time and referred to Committee on Agricultural Affairs.

Senator Wortham introduced a bill entitled: "An Act for the relief and support of the poor."

Read first time and referred to Committee on Judiciary No. 2.

Senator Terrell introduced a bill entitled: "An Act to repeal Article 76 of an act entitled: 'An Act to adopt and establish a penal code for the State of Texas.'"

Read first time and referred to Judiciary Committee No. 1.

Senator McCulloch offered the following resolution:

WHEREAS, In view of the fact that hardly a single Justice of the Peace, Constable, Sheriff or Clerk, can draw up a bond, complaint, or any other necessary form, and in this manner many fines and forfeitures are lost to the State and county; and, furthermore, for the reason that the county can save in one year the price of blanks; therefore,

Resolved, That an act be passed by the Senate authorizing the County Attorneys to furnish to the Sheriffs, County and District Clerks, Constables and Justices of the Peace, all necessary blank forms for the execution of criminal process, and requiring the County Courts to issue drafts, upon the certified accounts of the County Attorneys, for the payment of bills for printing these forms.

Referred to Judiciary Committee No. 2.

Senator Grace offered the following resolution:

Resolved, That all committees of this Senate requiring the assistance of a Clerk or Clerks, be allowed to select by vote of committee said Clerk or Clerks.

Senator McLeary moved to amend the resolution as follows:

"That all committees of this Senate requiring the assistance of a Clerk or Clerks, shall report the same to the Senate, and on vote of the Senate shall be allowed to select, by vote of committee, said Clerk or Clerks."

Lost.

Senator Edwards offered the following amendment:

"*Provided*, no Clerk shall be appointed by a committee without first obtaining the consent of the Senate.

Amendment accepted, and the resolution, as amended, was adopted.

On motion of Senator Stephens, the Senate adjourned until Saturday next, at 10 A. M.—in order to celebrate to-morrow as a legal holiday—the 21st of April.